



Public Notice



Public Comment Period: October 4, 2005 – November 18, 2005

**Draft Standardized Hazardous Waste Facility Permit and
Proposed Negative Declaration For
Clean Harbors San Jose, LLC, Rail Spur Transfer Facility
660 Lenfest Road, San Jose, California 95133-1614**

The California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) requests public comments on the Draft Standardized Hazardous Waste Facility Permit (Permit) for Clean Harbors San Jose, LLC, Rail Spur Transfer Facility located at 660 Lenfest Road, San Jose, Santa Clara County, California (Clean Harbors Lenfest Facility). In addition, DTSC requests comments on a proposed Negative Declaration. The proposed Negative Declaration is made under the provisions of the California Environmental Quality Act (CEQA), Public Resources Code, section 21064 and 21080(c).

Clean Harbors Lenfest Facility has submitted to DTSC an application for a standardized permit to continue to operate its hazardous waste rail transfer and storage facility. Clean Harbors is currently authorized to operate the Lenfest Facility under a DTSC Consent Agreement, Docket No. HWCA 20040614 (Consent Agreement).

The Permit would allow Clean Harbors Lenfest Facility the following activities:

- (1) continue to receive and store (for not more than 10 days) bulk liquid hazardous wastes originating from Clean Harbors San Jose, LLC located at 1021 Berryessa Road, San Jose, California,
- (2) install a below grade 25,000-gallon sump at the tanker/vacuum truck Transfer Area and install a spill containment system at the rail tank cars storage area, and
- (3) operate a vapor recovery system for use in transfer of bulk liquid hazardous wastes.

Hazardous wastes transferred at Clean Harbors Lenfest Facility are shipped by rail tank cars to offsite treatment, recycling, storage and disposal facilities. The Permit would set conditions on how the Rail Spur Transfer Facility will be operated to comply with the hazardous waste storage and transfer facility requirements under Title 22, Division 4.5, California Code of Regulations. The rail spur transfer facility consists of the Transfer Area for tanker/vacuum truck and the Storage Area for the rail tank cars. The unit is above-ground.

DTSC is proposing to issue a document called a Negative Declaration, which states that the activities in the proposed permit will not have significant effect on the environment. This conclusion is based on the Initial Study conducted by DTSC. The Initial Study, Proposed Negative Declaration and the Draft Permit are available for public review at two locations:

DTSC Berkeley Office File Room
700 Heinz Avenue
Berkeley, CA 94710-2737
(510) 540-3800

San Jose Public Library
180 West San Carlos Street
San Jose, California
(408) 268-7600

DTSC will accept written comments on the Draft Permit and Proposed Negative Declaration from October 4, 2005 through November 18, 2005. Please send your comments to:

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DTSC may hold a public hearing if a hearing is requested. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The written request for a public hearing shall be postmarked by November 18, 2005. At the close of the comment period, DTSC will make the final decision after considering all comments. All commentors will be notified of the final decision.